

**MINUTES OF THE CITY COMMISSION MEETING
MAY 24, 2004**

The City of Leesburg Commission held a regular meeting Monday, May 24, 2004, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian
Commissioner Bob Lovell
Commissioner Ben Perry
Commissioner Lewis Puckett
Mayor David Knowles

City Manager Ron Stock was on vacation. City Clerk Betty Richardson was attending a conference. Also present were Deputy City Manager (DCM) Robert Johnson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

The invocation and the Pledge of Allegiance to the Flag were given at the beginning of the GLCRA meeting which was held just prior to this Commission meeting.

PROCLAMATION

Mayor Knowles read a proclamation of appreciation to teachers and students of Lake County and the City of Leesburg for completing research and art projects. Larry Taylor, chairman of the Historic Preservation Board, thanked the teachers and students for their work. Jane Sewell, member of the Historic Preservation Board, presented certificates to the teachers and certificates for each of the students.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD
MAY 10, 2004 AND JOINT CITY/LAKE COUNTY MEETING HELD MARCH 29, 2004**

Commissioner Puckett moved to approve the City Commission minutes of the regular meeting held May 10, 2004. Commissioner Lovell seconded the motion and it carried unanimously.

Commissioner Puckett moved to approve the City Commission minutes of the joint City/Lake County meeting held March 29, 2004. Commissioner Perry seconded the motion and it carried unanimously.

SERVICE AWARDS

No Service awards were presented as neither employee was able to attend the meeting. The awards will be presented at the June 14, 2004 Commission meeting.

**PRESENTATION ON DESIGN AND AESTHETICS FOR CANAL STREET AND
APPROVAL TO MOVE FORWARD ON GATES AT THE ENTRANCES**

Public Works Director (PWD) Lora Bailey presented information on the design and aesthetics for Canal Street from Dixie Avenue to US Highway 441. A copy of the presentation is attached. She noted the design is 90% complete. The project includes the Magnolia Trail and re-use water systems.

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Commissioners Lovell and Puckett questioned the width of the road. Commissioner Puckett stated the road is being restricted by putting landscaping in the middle. Questions regarding the turning radius for the Daily Commercial were also asked. DCM Johnson stated the Daily Commercial and Romac have both been involved in this design.

PWD Bailey shared proposed plans for gates at the entrances of Canal Street. DCM Johnson stated Canal Street is the entrance into the Community Center. Commissioner Lovell stated the Partnership needs to review these plans and provide feedback. Commissioner Christian stated the CDC also needs to have input.

Commissioner Perry questioned the cost projections. DCM Johnson stated the costs are still in line with the figures stated at the February workshop. PWD Bailey stated the total project is expected to run \$1.9 million -- \$1.3 million for the road.

Mayor Knowles stated Leesburg Regional Medical Center is looking for the City to possibly purchase the Buddy Bourlay property. The City may want to include the purchase in this project.

The Commission approved moving forward with the Canal Street project as presented.

CONSENT AGENDA:

Pulled: B5 (Hewitt Contracting contract amendment)
B6 (Electric Services contract amendment)
B13 (Bench resolution)
B14 (Bench contract with Rotary Club- Sunset)
C3 (K-9 purchase for Police Dept.)
C4 (Salary increase for City Manager)

Commissioner Perry moved to adopt the Consent Agenda except for B5, B6, B13, B14, C3, and C4 . Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the Consent Agenda, except as noted, as follows:

PURCHASING ITEMS:

LB-04-06 Recyclable Collection vehicle awarded to Container Systems and Equipment for \$128,709.00.

LB-04-16 Surface facilities for new wells & upgrade at Highland Lakes & Royal Highlands Water Treatment Plants for Environmental Services Dept. awarded to Beach Construction Company, Inc. for \$302,700.00.

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LB-04-25 High-speed Ethernet radio system to Terrycom in an amount not to exceed \$40,000.00.

Additional Seat licenses for MIS Dept. to Miner & Miner Consulting Engineers for \$42,160.00.

RESOLUTIONS:

RESOLUTION 7111

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Beach Construction Company, Inc. to complete construction of surface facilities for new wells and the upgrade to sodium hypochlorite disinfection systems at the Highland Lake WTP and the Royal Highlands WTP pursuant to Bid LB-04-16, and providing an effective date.

RESOLUTION 7112

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the execution of a contract between the City of Leesburg and Wilbur Smith Associates, Inc. for Amendment No. 2 to Supplemental Agreement #19, to the basic agreement between the parties pertaining to professional services related to quality assurance testing and contract administration for the Aircraft Rescue and Fire Fighting Station (ARFF) project at Leesburg Regional Airport; and providing an effective date.

RESOLUTION 7113

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the execution of a contract between the City of Leesburg and Wilbur Smith Associates, Inc. for Amendment No. 1 to Supplemental Agreement #30, to the basic agreement between the parties pertaining to professional services for quality assurance testing and contract administration for the Air Traffic Control Tower project at Leesburg Regional Airport; and providing an effective date.

RESOLUTION 7114

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a reimbursable agreement with the Federal Aviation Administration for purchase and installation of ASOS equipment related to the Air Traffic Control Tower at Leesburg Regional Airport; and providing an effective date.

RESOLUTION 7115

A resolution of the City Commission of the City of Leesburg, Florida, authorizing and directing the Mayor and City Clerk to execute a quitclaim deed from the City of Leesburg to Kristen L. Barch Family Limited Partnership and Timothy H. Sennett, for the purpose of conveying to them unused road right of way formerly acquired for the Thomas Avenue extension but not needed due to a realignment of that road; negating any reservation of mineral rights pursuant to §270.11, Fla. Stat. (2003); and providing an effective date.

RESOLUTION 7116

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with the City of Mount Dora to provide permission for pole attachments; and providing an effective date.

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RESOLUTION 7117

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Dyer, Riddle, Mills & Precourt, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7118

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and HDR Engineering, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7119

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Jones Edmunds & Associates, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7120

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and JRC Consulting for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7121

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Nordarse & Associates, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7122

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Reynolds, Smith and Hills, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7123

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Riddle-Newman Engineering, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

RESOLUTION 7124

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Universal Engineering Sciences, Inc. for the purposes of providing engineering services pursuant to RFP-04-11 on a continuing basis, and providing an effective date.

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RESOLUTION 7125

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Sarah Whitaker, P.G. for the purpose of providing consumptive use permit renewal and related continuing services pursuant to RFP-04-12 on a continuing basis, and providing an effective date.

RESOLUTION 7126

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Boyle Engineering Corporation, Inc., for the purposes of providing engineering services pursuant to RFP-04-13 on a continuing basis, and providing an effective date.

RESOLUTION 7127

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Farner, Barley & Associates, Inc. for the purposes of providing engineering services pursuant to RFP-04-13 on a continuing basis, and providing an effective date.

RESOLUTION 7128

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Henry A. Sheldon, P.E. for the purposes of providing engineering services pursuant to RFP-04-13 on a continuing basis, and providing an effective date.

RESOLUTION 7129

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Jacobs Civil Inc. for the purposes of providing engineering services pursuant to RFP-04-13 on a continuing basis, and providing an effective date.

RESOLUTION 7130

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Jones, Edmunds & Associates, Inc. for the purposes of providing engineering services pursuant to RFP-04-13 on a continuing basis, and providing an effective date.

RESOLUTION 7131

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and P B S & J Inc. for the purposes of providing engineering services pursuant to RFP-04-13 on a continuing basis, and providing an effective date.

RESOLUTION 7132

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve an agreement between the City of Leesburg and Compulink Network Installation Services, Inc. to provide data and voice cable installation on a continuing basis; and providing an effective date.

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RESOLUTION 7133

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve an agreement between the City of Leesburg and Milcom Systems Corporation to provide data and voice cable installation on a continuing basis; and providing an effective date.

RESOLUTION 7134

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a satisfaction of mortgage in favor of Ms. Ruth E. Wilson for the purpose of satisfying a mortgage given to secure a housing rehabilitation loan; and providing an effective date.

RESOLUTION 7135

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the reduced rates for Recreation Division programs and/or activities for families with more than one (1) sibling; and providing an effective date.

OTHER AGENDA ITEMS:

1. Monthly Financial Report for April 2004
2. BPCA of \$17.50 per 1,000 kWh for June 2004

ADOPTED RESOLUTION 7136 AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH HEWITT CONTRACTING COMPANY, INC.

Commissioner Lovell introduced the resolution to be read, by title only. DCC Gibson Smith read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to amend the agreement between the City of Leesburg and Hewitt Contracting Company, Inc. for the purposes of providing fiber optic installation services on a continuing basis, and providing an effective date.

Commissioner Lovell stated the City needs competitive bids and should be cognizant of extending contracts instead of putting them out to bid. Commissioner Lovell stated the City is open to criticism when the bid system is not utilized. The reputation of the City is at stake.

DCM Johnson stated the City currently has 4 qualified firms under contract for aboveground services. Staff does not see a need to go out to bid at this time.

Commissioner Perry stated the best way to bid a project is to bid a project on a lump sum. Fictitious quantities have been used for the bidding on the underground and aboveground projects.

Commissioner Perry moved to approve the resolution and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	No

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Commissioner Perry
Mayor Knowles

Yea
Yea

Four yeas, one nay, the Commission adopted the resolution.

ADOPTED RESOLUTION 7137 AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH ELECTRIC SERVICES, INC

Commissioner Perry introduced the resolution to be read, by title only. DCC Gibson Smith read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an amendment to the agreement between the City of Leesburg and Electric Services, Inc. for electrical contracting services and provide an effective date.

Commissioner Lovell stated this is politically touchy as the owner is a member of the School Board. The same problem as stated for the previous topic applies here.

Electric and Gas Director (EGD) Lloyd Shank stated there was a multi-year provision in the original contract which was competitively bid. Problems could arise if the contract is delayed.

DCM Johnson stated the policy is to have a renewal clause in the contract, if the City wishes to continue with the contract. A policy change would impact the length of the agenda and impact staff by making it necessary to bid out all items.

Commissioner Puckett moved to approve the resolution and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Christian	No
Commissioner Lovell	No
Commissioner Perry	Yea
Commissioner Puckett	Yea
Mayor Knowles	Yea

Three yeas, two nays, the Commission adopted the resolution.

APPROVED REMOVING BENCHES AND SHELTERS WITH THE CITY AND DENIED RESOLUTION 7138 ESTABLISHING PROCEDURES FOR PLACEMENT OF BENCHES AND SHELTERS IN THE CITY OF LEESBURG

Commissioner Puckett introduced the resolution to be read, by title only. DCC Gibson Smith read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, establishing procedures for the placement of benches and shelters in the City; and providing an effective date.

Commissioner Puckett stated this adds to the City's visual pollution.

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DCM Johnson stated the Commission passed an ordinance that made provisions for the Commission to approve placement of benches within the City. Staff has reviewed the placement and determined there is a proliferation of benches within the City. The City has an agreement with the Jaycees for the placement of benches. The Jaycees are now a defunct group. Other groups have been placing benches within the City with no contracts or permission.

CA Morrison stated the ordinance which was passed made it necessary to have sponsorship in order to place benches within the City. CA Morrison explained the ordinance.

Mayor Knowles stated the City partnering with a responsible company (i.e. Rotary Club) will have a positive impact on this situation.

Commissioner Lovell requested Joe Shipes of the Leesburg Partnership give a statement. Mr. Shipes stated the benches fall in line with the billboards which are to be removed.

Commissioner Puckett moved to remove the benches and shelters. Commissioner Christian seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	No

Four yeas, one nay, the Commission approved removing the benches and shelters and denied the resolution.

DENIED RESOLUTION 7139 AUTHORIZING A BENCH AGREEMENT WITH THE ROTARY CLUB OF LEESBURG – SUNSET, INC. AND METROPOLITAN SYSTEMS, INC.

Commissioner Lovell introduced the resolution to be read, by title only. DCC Gibson Smith read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a bench agreement with the Rotary Club of Leesburg – Sunset, Inc. and Metropolitan Systems, Inc; and providing an effective date.

Don Luckich, member of Sunset Rotary Club, stated the Jaycees gave the Rotary Club the contract for the benches. The Sunset Rotary Club uses the proceeds for the yearly Easter Egg Hunt.

Jerry Galbreath, member of Sunset Rotary Club, stated the benches are necessary. They are provided to the City of Leesburg for free.

Commissioner Puckett moved to deny the resolution. Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea

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Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	No

Four yeas, one nay, the Commission denied the resolution.

APPROVED USE OF FORFEITURE FUNDS TO PURCHASE ONE GERMAN SHEPHERD POLICE DOG

Commissioner Christian stated he would like to see drug forfeiture funds also utilized for programs for teenagers.

Chief Idell stated the funds are used for kids programs. At least fifteen percent of the forfeiture funds are required to be used for teen programs. Send information for new programs to the Police Department.

Commissioner Perry moved to approve the use of funds for the police dog. Commissioner Puckett seconded the motion and it passed unanimously.

APPROVED GIVING THE CITY MANAGER A FIVE PERCENT INCREASE IN SALARY

Commissioner Puckett stated the request by the City Manager for a 4% increase with a \$5,000 bonus does not look good for the City. The problem is the bonus.

Commissioner Lovell stated the City Manager should be asking for a much bigger increase. He is one of the best City Manager's the City has had and is very easy with which to work.

Commissioner Lovell moved to amend the percent increase to the City Manager to 5% with no bonus. Commissioner Perry seconded the motion.

Don Luckich, resident and businessman in Leesburg, stated he disagrees with Commissioner Lovell. Mr. Luckich stated he does not feel the City Manager has done enough to control costs.

Mayor Knowles noted the auditors stated the City of Leesburg is in excellent shape. The City has combined assets in excess of \$153 million.

Tom Grizzard, realtor in Leesburg, stated City Manager Stock has garnered many capable department heads. This has made it easy to do business and live in the City of Leesburg.

Roll call vote to amend the City Manager's increase to 5% with no bonus was as follows;

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission approved a 5% increase for the City Manager with no bonus.

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PUBLIC HEARINGS:

APPROVED AN AGREEMENT BETWEEN THE CDC AND THE GLCRA TO GIVE FUNDS DIRECTLY TO THE CDC

DCM Johnson stated the CDC has requested the City of Leesburg be a party to the agreement between the CDC and the GLCRA giving funds directly to the CDC for their use. The agreement was discussed at the GLCRA meeting held just prior to this Commission meeting.

Commissioner Lovell left the room at 7:05 p.m. and returned at 7:09 p.m.

Commissioner Puckett moved to approve the agreement and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Christian	Abstain
Commissioner Lovell	Absent
Commissioner Perry	Yea
Commissioner Puckett	Yea
Mayor Knowles	Yea

Three yeas, one abstention, one absent, the Commission approved the agreement.

HELD A PUBLIC HEARING ON THE GREATER LEESBURG COMMUNITY REDEVELOPMENT PLAN AMENDMENT

DCM Johnson stated the Greater Leesburg Community Redevelopment Agency is recommending an amendment to its plan.

There was no public input.

ADOPTED RESOLUTION 7140 APPROVING AN AMENDMENT TO THE GREATER LEESBURG COMMUNITY REDEVELOPMENT PLAN.

Commissioner Perry introduced the resolution to be read, by title only. DCC Gibson Smith read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, approving an amendment to the Greater Leesburg Community Redevelopment Plan; and providing an effective date.

Commissioner Perry moved to approve the resolution and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the resolution.

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**ADOPTED ORDINANCE 04-30 ANNEXING APPROXIMATELY 26.26 ACRES
GENERALLY LOCATED SOUTH OF U. S. HIGHWAY 441 IN THE AREA OF
LEESBURG REGIONAL AIRPORT**

DCC Gibson Smith read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 26.26 acres and being generally located south of U.S. Highway 441 in the area of the Leesburg Regional Airport, lying in Sections 16, 21, 22 and 28, Township 19 south, Range 25 east, Lake County, Florida, which is contiguous to the city limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said City; providing that such annexed property shall be subject to all laws and ordinances of said City as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be put in City Commission District 1; and providing for an effective date.

Commissioner Puckett moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

**ADOPTED ORDINANCE 04-31 REZONING APPROXIMATELY 26.26 ACRES FROM
COUNTY CP AND COUNTY LM TO C-3 AND P**

DCC Gibson Smith read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately 26.26 acres generally located south of U.S. Highway 441 in the area of the Leesburg Regional Airport, lying in Sections 16, 21, 22 and 28, Township 19 south, Range 25 east, Lake County, Florida, from County CP (Planned Commercial) and County LM (Light Manufacturing) to C-3 (Highway Commercial) and P (Public); and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

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Five yeas, no nays, the Commission adopted the ordinance.

INTRODUCED AN ORDINANCE VACATING AN ALLEY IN LEESBURG REALTY COMPANY ADDITION, NORTH OF WEST MAIN STREET AND EAST OF MOSS STREET

Commissioner Puckett introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, vacating an alley lying in Leesburg Realty Company Addition as recorded in Plat Book 2, page 6, Public Records of Lake County, Florida, said property generally located north of West Main Street, east of Moss Street, lying in Section 27, Township 19 south, Range 24 east, Lake County, Florida; and providing for an effective date.

INTRODUCED AN ORDINANCE ANNEXING APPROXIMATELY .51 ACRES OWNED BY JOANNE L. NEUMAN REVOCABLE FAMILY TRUST AT THE NORTHEAST CORNER OF U.S. HIGHWAY 441 AND STEWART LANE; REZONING FROM COUNTY C-1 TO CITY C-3; AND PLACING THE PROPERTY IN COMMISSION DISTRICT 1

Commissioner Lovell introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance annexing certain property owned by Joann L. Neuman revocable Family Trust, said property consisting of approximately .51 acres and being generally located at the northeast corner of the intersection of U.S. Highway 441 and Stewart Lane, lying in Section 15, Township 19 south, Range 24 east, Lake County, Florida, which is contiguous to the city limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said City; providing that such annexed property shall be subject to all laws and ordinances of said City as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be rezoned from County C-1 (Community Commercial) to City C-3 (Highway Commercial); providing that said property shall be placed in Commission District 1; and providing for an effective date.

Commissioner Christian questioned whether sewer would be run in this area anytime soon. DCM Johnson stated lines are currently being installed.

INTRODUCED AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN .51 ACRES AT INTERSECTION OF U.S. HWY 441 AND STEWART LANE FROM COUNTY URBAN EXPANSION TO CITY COMMERCE

Commissioner Lovell introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing approximately .51 acre and generally located at the northeast corner of the

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intersection of U.S. Highway 441 and Stewart Lane, lying in Section 15, Township 19 south, Range 25 east, Lake County, Florida, from County Urban Expansion to City Commerce; and providing an effective date. (Joann Neuman Revocable Family Trust)

INTRODUCED AN ORDINANCE ANNEXING APPROXIMATELY .33 ACRES OWNED BY MICHAEL & CARLA CLAY EAST OF U.S. HIGHWAY 27/441 AND NORTH OF EUREKA

Commissioner Lovell introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance annexing certain property owned by Michael Clay and Carla Clay, said property consisting of approximately .33 acres and being generally located east of U.S. Highway 27/441 (Citrus Boulevard), north of Eureka Avenue, lying in Section 15, Township 19 south, Range 24 east, Lake County, Florida, which is contiguous to the city limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said City; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that said property shall be placed in Commission District 1; and providing for an effective date.

INTRODUCED AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR APPROXIMATELY .33 ACRES FROM COUNTY URBAN TO CITY C

Commissioner Lovell introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing approximately .33 acres and generally located east of U.S. Highway 27/441 (Citrus Boulevard), north of Eureka Avenue, lying in Section 15, Township 19 south, Range 24 east, Lake County, Florida, from County Urban to City C (Commerce); and providing an effective date.

INTRODUCED AN ORDINANCE REZONING APPROXIMATELY .33 ACRES

Commissioner Lovell introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately .33 acres generally located east of U.S. Highway 27/441 (Citrus Boulevard), north of Eureka Avenue, lying in Section 15, Township 19 south, Range 24 east, Lake County, Florida, from County C-2 (Community Commercial) to City C-3 (Highway Commercial); and providing an effective date.

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INTRODUCED AN ORDINANCE ACCEPTING AN UTILITY EASEMENT FROM MIDDLESEX LLC FOR PROPERTY ON THOMAS AVENUE TO ALLOW INSTALLATION OF A WATER MAIN

Commissioner Perry introduced the ordinance to be read, by title only. DCC Gibson Smith read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, accepting an utility easement from Middlesex, LLC, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 16, Township 19 south, Range 24 east; Lake County, Florida; and providing an effective date

TABLED DECISION ON THE RENOVATION OF VISTA PAK BUILDING UNTIL THE JUNE 14, 2004 CITY COMMISSION MEETING

Commissioner Puckett stated he does not recommend the City putting this much money into the building. The building should be demolished.

Commissioner Christian agreed putting the money into this building is not a good idea.

DCM Johnson stated the property was initially proposed to be used for downtown parking. The building can be made usable for the City's use for less than the amount stated in the memo. If additional non-City personnel are to use the building, the costs for renovations go up. The Elks Building is about to be torn down and the Leesburg Center for the Arts will be evicted. Staff needs direction on whether to find another building for the Center for the Arts or to allow them to be moved into the Vista Pak Building.

Commissioner Puckett stated the Vista Pak Building is an old building which will require a lot of money to renovate.

Commissioner Perry stated he voted against purchasing the building as it removed the property from the tax rolls. The ultimate goal in purchasing the building was to expand parking. Currently the City needs to find space for 3 people in the Housing Department. The real issue is finding space for the Center for the Arts. It makes money sense to tear down the Vista Pak Building to solve the parking problem. Options other than the Vista Pak Building can be reviewed for the Center for the Arts.

Commissioner Christian stated the Commission needs to be consistent in considering Community needs. A short time ago, several other non-profit groups requested aid in obtaining the Dabney Elementary School. The City said it would not financially help in obtaining the school. Consistency in dealing with non-profit groups is important. Renovating the Vista Pak Building for the Center for the Arts is not being consistent. Commissioner Christian would like to take the option of leaving the building alone and see if the Center for the Arts can do their own renovations.

Mayor Knowles stated he is in favor of tearing down the building.

Joe Shipes, Leesburg Partnership, stated the City was able to purchase the building at a low price. There are options available other than tearing down the building. The building could be used for retail space. The Vista Pak Building is the quickest solution to house the Center for the Arts after the Elks Club building is demolished, and to provide storage space, the Christmas

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House, and office space for the Partnership Demolishing the building will not give enough space for a parking garage.

Nancy Klutz, citizen of Lake County and Vice-Chair of Lake County Cultural Affairs Council, stated the City of Leesburg has great visionary leadership. The cultural component is important to the growth of the City. The Leesburg Partnership and the Center for the Arts is a model for other cities to follow.

Kathy Cook, Leesburg Center for the Arts, thanked the City for housing the Center for the Arts for the past 4 years. The Center for the Arts currently serves approximately 500 students in an after school program with a five year grant program. This grant will be lost if the program is not continued through the five years.

Gary Hopcraft, resident of Lake County and member of Board of Trustees for Mount Dora Center for the Arts, stated the City of Leesburg needs to step up to the plate and focus on the development on culture in order to be a leader.

Mayor Knowles stated the City has a short term dilemma on what to do about a shortage of space. The cost of repairing the Vista Pak Building is too high.

Commissioner Perry moved to approve the option of demolishing the building with the understanding that he does support the Center for the Arts. This motion died for lack of a second.

Commissioner Lovell moved to approve the building renovations (Option 1). This motion died for lack of a second.

Commissioner Lovell moved to table this for two weeks and to bring the item back for discussion after further review. This motion died for lack of a second.

Commissioner Christian moved to approve doing nothing to the building at this time (Option 4) and give the community time to review what the best option is for the building. Commissioner Puckett seconded the motion.

Linda Grizzard, member of the Center for the Arts, stated the Center for the Arts has done many things. What is being done cannot be accomplished in a smaller location.

Jerry Galbreath stated there is nothing within the City of Leesburg for commercial real estate for \$158,000. This building could easily be used for another five to ten years. The best option is to repair the building and then possibly sell the property down the road.

Commissioner Perry stated repairing the building for one or two years is a waste of money. Repairing the building and using it longer term would warrant the repair costs. DCM Johnson stated he believes the City could find usage for the building for at least five years.

CA Morrison suggested perhaps spending the money for renovations now with a lease arrangement which calls for the tenant to do any further renovations as needed.

Commissioner Christian stated the Commission needs to be as accommodating to the Dabney Minatee Group and the Youth Action Network as they are to the Center for the Arts.

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The Mayor called for a voice vote on the motion for Option 4. The motion was denied on a vote of no yeas and five nays.

Commissioner Lovell moved to bring the item back in two weeks. Commissioner Puckett seconded the motion. Tabling this item until the June 14, 2004 Commission meeting was approved unanimously.

CITY ATTORNEY ITEMS:

CA Morrison stated Pringle Development called late in the afternoon requesting a Consent of Assignment of Lease in order to close a transaction for an internal restructuring.

Commissioner Puckett moved to approve the Consent of Assignment of Lease and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission approved the Consent of Assignment of Lease.

CITY MANAGER ITEMS:

1. DCM Johnson stated the Ten-Year Capital Improvement Plan for Fiscal Years 2004-2014 will be discussed at the June 14, 2004 City Commission Meeting. Please direct any questions to DCM Johnson, CM Stock, Finance Director Bill Pfeilsticker, or Deputy Finance Director Diane Reichard.

2. There will be a closed meeting following the June 28, 2004 City Commission Meeting to discuss the Kristen Street property lawsuit.

3. Several citizens have called to complain about industrial noise. Commissioner Puckett requested this be held for a later time. DCM Johnson stated this will be added as an agenda item at a future City Commission meeting.

ROLL CALL

Commissioner Lovell – reminded everyone of the FMPA Convention July 27 – 30 in Bernadina Beach. He stated much is learned at this convention. Commissioner Lovell noted an MPO workshop is scheduled for May 26 2004 and the City should be represented. Commissioner Perry stated this is for roads only. He is vice-chair of the committee and will be attending. DCM Johnson noted members of staff will also be attending.

Commissioner Perry – stated he would like to clear the air on several topics reported in the newspapers within the last month. He stated he agrees with the City Manager 99% of the time. What is written in the newspaper is not always what is said by the person being “quoted”. All Commissioners and staff need to be mindful of asking others instead of jumping to conclusions. Commissioner Lovell agreed.

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Commissioner Puckett – stated it is nice to see the Downtown expanding away from the Main Street area towards Magnolia and possibly Canal Street.

Commissioner Christian – questioned if Code Enforcement calls are anonymous. CA Morrison stated the complaints can be anonymous. Commissioner Christian stated for the record he was bothered that his name was used during an eviction by a landlord. Commissioner Christian confronted the owner who told him Code Enforcement used his name. Citizens need to be assured these calls can be made anonymously because of the concern about retaliation. Code Enforcement needs to be made aware of when complaints are made anonymously.

Mayor Knowles – stated Commissioners are going home tonight a little more together.

Commissioner Puckett moved to adjourn the meeting. The meeting adjourned at 8:20 p.m.

Mayor

ATTEST:

City Clerk

Diane L. Gibson Smith
Recorder

MINUTES 040524